

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI

FILED

5/14/07

Clerk, U.S. Bankruptcy Court
Western District of Missouri

In Re: Thomas Edward Host and Tracey Michelle Host
ABOVE MED

Case No.: 07-40154-jwv13

Debtor(s)

**ORDER CONFIRMING CHAPTER 13 PLAN
AS FILED OR AMENDED ON OR ABOUT 4/10/07**

The court finds that the Chapter 13 plan complies with 11 U.S.C. 1325(a)(1),(2),(3),(4),(5), and (6) and 1325(b). It is therefore

ORDERED, ADJUDGED and DECREED:

1. The plan is confirmed, subject to modification as provided in paragraph 12.
2. The debtor or any entity from which the debtor receives income shall pay to the trustee according to the terms of the plan which shall not exceed 5 years. Payments shall continue until further order of this court. The trustee may cause a wage order to be issued to the debtor's employer. 11 U.S.C. 1322(a)(1), 1322(d), and 1325(c). Local Rule 3083-1H.
3. Payments to all creditors shall be made according to the terms of the plan, Local Rules of this Court, the trustee's notice to allow claims, the trustee's notice to allow additional or amended claims, and further orders of the court. The trustee shall only make payments to creditors with filed and allowed claims. 11 U.S.C. 1326(c), Local Rule 3084-1, and Local Rule 3085-1.
4. Priority claimants shall be paid in full pursuant to 11 U.S.C. 1322(a)(2).
5. The trustee shall be paid in full pursuant to 11 U.S.C. 503(b), 1326(b)(2) and 28 U.S.C. 586(e)(1)(A) and (B).
6. For cases filed on or before October 16, 2005, the debtor shall devote to the plan all disposable income during the first 36 months after the first payment is due under the plan unless the debtor pays 100 percent to all filed and allowed claimants. For cases filed on or after October 17, 2005, the debtor shall devote to the plan all disposable income for payment to unsecured claimants for the applicable commitment period from the date the first payment is due as defined in 11 U.S.C. 1326(a)(1). The debtor shall report to the standing trustee any events affecting disposable income, including but not limited to: tax refunds, inheritances, prizes, lawsuits, gifts, etc., which are received or receivable during the pendency of the case. 11 U.S.C. 1325(b).
7. The debtor shall not incur any additional debts while this case is open without prior approval of the court except those which may be necessary in an emergency for the protection and preservation of life, health, or property. The trustee may make emergency refunds or grant borrowing requests pursuant to Local Rule 3088-1 and 2005 Standing Order #4.
8. Until the case is closed, the debtor is enjoined and prohibited from selling, encumbering, or in any manner disposing of assets without the prior order of the court except as may be required in the course of the debtor's business if the debtor is engaged in business. The debtor may, without court order, sell unencumbered property which has not had a lien avoided as part of this proceeding with a fair market value less than \$2,500.00 so long as, within 10 days of the sale, the debtor files with the court an accounting of said sale.
9. Title to the property of the estate vests in the debtor(s) or as specified in the plan. However, property of the estate which vests in the debtor(s) remains property of the estate pursuant to 11 U.S.C. 1306 for purposes of compliance with 11 U.S.C. 1325(b) and post-petition garnishments.
10. All composition plans may be amended for compliance with 11 U.S.C. 1325(b) based on actual filed and allowed claims or for a substantial change in circumstances for the debtor(s). All plans may be amended for compliance with 11 U.S.C. 1322(d).
11. Funds paid into the trustee's office in a confirmed plan prior to the case being dismissed or converted shall be distributed pursuant to the confirmed plan and this confirmation order.
12. Notwithstanding this Order, the Trustee may move to modify the plan in the event tax refunds due the debtor are not exempt, based on the pending appeal in In re Benn, Case no. 06-2217, United States Court of Appeals for the Eighth Circuit.

Dated: 5/14/07

/s/ Jerry W. Venters
UNITED STATES BANKRUPTCY JUDGE

Bankruptcy Noticing Center
2525 Network Place, 3rd Floor
Herndon, Virginia 20171-3514

Entered Certificate of Service Page 2 of 3

CERTIFICATE OF SERVICE

District/off: 0866-4
Case: 07-40154

User: grahamb
Form ID: 502

Page 1 of 2
Total Served: 39

Date Rcvd: May 14, 2007

The following entities were served by first class mail on May 16, 2007.

db +Thomas Edward Host, Jr., 1200 Fuller Wiser Road, Euless, TX 76039-3082
jdb +Tracey Michelle Host, 1200 Fuller Wiser Road, Euless, TX 76039-3082
aty +Charice L. Holtsclaw, Legal Helpers/Macey & Aleman, 1125 Grand, Ste 814, Kansas City, MO 64106-2511
aty +Keith A. Wellman, Legal Helpers, 1125 Grand Ave., Ste. 916, Kansas City, MO 64106-2503
tr +Richard Fink, Suite 800, 818 Grand Blvd, Kansas City, MO 64106-1901
smg Missouri Department of Revenue, General Counsel's Office, PO Box 475, Jefferson City, MO 65105-0475
12068866 ++AMERICREDIT, PO BOX 183853, ARLINGTON TX 76096-3853
(address filed with court: AmeriCredit, PO Box 183853, Arlington, TX 76096-3853)
12062003 ++AMERICREDIT, PO BOX 183853, ARLINGTON TX 76096-3853
(address filed with court: Americredit, 801 Cherry St Ste 3900, Fort Worth TX 76102-6839)
12062002 +Amer Gen Fin, Po Box 3130, Independence MO 64055-8130
12062004 +Applied Card Bank, 800 Delaware Ave, Wilmington DE 19801-1322
12062005 +Budget Line Cash Advance, 607 S State Route 7, Blue Springs MO 64014-3207
12128979 +CHECK INTO CASH, P.O BOX 550, CLEVELAND, TN 37364-0550
12062006 +Cap One Bk, Po Box 85520, Richmond VA 23285-5520
12062007 +Capital 1 Bk, 11013 W Broad St, Glen Allen VA 23060-5937
12070632 +Capital One Bank, c/o TSYs Debt Management, PO Box 5155, Norcross, GA 30091-5155
12062008 +Cedar Brooke Apartments, 3100 Quail Creek Drive, Independence MO 64055-6297
12062009 +Check into Cash, 3423 S Noland Rd, Independence MO 64055-1319
12062010 +Citi Auto, 2208 Highway 121 Ste 100, Bedford TX 76021-5981
12066170 +CitiFinancial Auto Corp., P.O. Box 9578, Coppell, Tx 75019-9513
12062011 +Credit World, 6000 Martway, Mission KS 66202-3389
12062012 +Cross Country Bank, 800 Delaware Ave, Wilmington DE 19801-1322
12062013 +First Premier Bank, 601 S Minnesota Ave, Sioux Falls SD 57104-4868
12062014 +Heartland Spine & Specialty, 10720 Nall Ave, Leawood KS 66211-1206
12062015 +Hsbc Nv, Po Box 19360, Portland OR 97280-0360
12062016 King of Kash, 5533 Troost, Kansas City KS 66110-0000
12062017 +Loan N Go, 490 SW State Route 7, Blue Springs MO 64014-3053
12062018 +Mazuma Credit Union, 9300 Troost, Kansas City MO 64131-3000
12062019 +Midwest Regional Collection, 7001 N Locust Suite 200, Kansas City MO 64118-2555
12145662 +NCO Healthcare Research Med Ctr, 1804 Washington Blvd #600, Baltimore MD 21230-1700
12062020 +Orchard Bank, 1138 N Germantown Pkwy, Suite 101-270, Cordova TN 38016-5872
12062021 +Quik Cash, 490 SW State Route 7, Blue Springs MO 64014-3053
12062022 +Southwest Credit Syste, 5910 W Plano Pkwy Ste 10, Plano TX 75093-2201
12062023 +Sun Loan Company, 3921 Main St, Kansas City MO 64111-1916
12062024 +T-Mobile, PO Box 53410, Bellevue WA 98015-3410
12062025 +Wfnmb/lane Bryant, 4590 E Broad St, Columbus OH 43213-1301
12068018 +World Financial Network National Bank, Lane Bryant Retail, c/o Weinstein & Riley, P.S.,
2101 Fourth Ave., Suite 900, Seattle, WA 98121-2339
12144525 eCAST Settlement Corporation assignee of, HSBC Bank Nevada NA / HSBC Card, Services III,
POB 35480, Newark NJ 07193-5480

The following entities were served by electronic transmission on May 14, 2007.

12098011 +E-mail/PDF: B-LinellcBNCNotifications@blinellc.com May 14 2007 22:55:00
B-Line, LLC/Applied Card Systems, Inc., Mail Stop 550, 2101 Fourth Ave., Suite 1030,
Seattle, WA 98121-2317
12062026 +E-mail/PDF: bkmo@worldacceptance.com May 14 2007 22:54:59 World Finance Corp,
13700 E 40 Hwy Ste E, Independence MO 64055-5875

TOTAL: 2

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0866-4
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***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 16, 2007

Signature: 